

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

KRISTINE FLYNN, *et al.*, on behalf of themselves
and all others similarly situated,

Plaintiffs,

v.

Case No. 06-CV-537- RTR

JIM DOYLE, *et al.*,

Defendants.

**ORDER PRELIMINARILY APPROVING THE SETTLEMENT AGREEMENT,
ORDERING NOTICE TO THE CLASS, AND SCHEDULING A FAIRNESS HEARING**

For the reasons set forth in Plaintiffs' Motion for Preliminary Approval of Class Action Settlement, **IT IS HEREBY ORDERED** that:

Preliminary Approval of the Proposed Settlement

1. The Court grants preliminary approval to the Proposed Settlement Agreement, finding it to be sufficiently fair, reasonable, and adequate for the purpose of such preliminary approval.

Notice to the Class

2. The form and content of the Notice to the Class submitted and the plan for posting and distribution constitute "a reasonable manner" of providing notice and satisfy the requirements of Fed. R. Civ. P. 23(e)(1), Fed. R. Civ. P. 23(h)(1), and due process.

3. The proposed Notice to the Class is approved and shall be posted and distributed in the following manner:

Within 10 days of the entry of this Order, Defendants will (a) post at least one copy of the Notice to the Class and the Proposed Settlement Agreement on every bulletin board in the common areas of all housing units at the Taycheedah Correctional Institution; (b) deposit at least one copy of the Notice to the Class and the Proposed Settlement Agreement in the library, where it may be reviewed by prisoners; (c) hand-deliver one copy of the Notice to the Class and the Proposed Settlement Agreement to each prisoner housed in the Segregation and Monarch Units; (d) hand-deliver or send by mail one copy of the Notice to the Class and the Proposed Settlement Agreement to each Taycheedah prisoner housed in the infirmary at the Dodge Correctional Institution; and (e) place an item in the weekly prisoner bulletin alerting prisoners that the Notice to the Class and the Proposed Settlement Agreement have been posted and will be available in the library.

Within 15 days of the entry of this Order, Defendants and/or their agents will prepare and submit to Class Counsel a declaration of compliance with the above provision.

4. Should the Proposed Settlement Agreement receive final approval by the Court, within 10 days of the entry of that Order, Defendants shall, for the duration of the settlement agreement, post at least one copy of the Summary Notice to the Class attached to the Motion and the Proposed Settlement Agreement on every bulletin board in the common areas of all housing units at Taycheedah Correctional Institution. For prisoners housed in the Segregation and Monarch Units, staff shall provide a copy of the Summary Notice and the Proposed Settlement agreement to any prisoner who requests copies.

Objections from Class Members

4. Objections to the Proposed Settlement Agreement must be made in writing and must be received by Plaintiffs' counsel no later than 40 days after the entry of this Order. Plaintiffs' counsel will timely forward objections to Defendants' counsel and will include them as an exhibit to Plaintiffs' Motion for Final Approval of the Settlement for the Court to review. Objections must state the basis of the objection and include any documents that the objector wishes the Court to consider. Class members intending to make an appearance *pro se* or through counsel shall include their intention in writing and are responsible for scheduling a time to appear by teleconference. Objections not complying with these requirements will not be considered by the Court except for good cause or at the Court's discretion.

Motion for Final Approval & Scheduling of the Fairness Hearing

5. Plaintiffs and/or the Parties jointly shall submit a Motion for Final Approval of the Settlement within 55 days of the entry of this Order.

6. The Court shall hold a Fairness Hearing pursuant to Fed. R. Civ. P. 23(e)(2) on December 2, 2010 at 10:30 a.m. (CST).

Dated at Milwaukee, Wisconsin, this 24th day of August, 2010.

SO ORDERED,

s/ Rudolph T. Randa
Hon. Rudolph T. Randa
U.S. District Judge